

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

Civil No. 1:10-CV-1405
(GLS/RFT)

-against-

\$125,000.00 in U.S. Currency,

VERIFIED ANSWER

Defendant.

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Now comes the Claimant, RONALD J. AMADEO JR., by and through his undersigned attorney, Ronald L. Kuby, and answers the Verified Complaint of Forfeiture

In Rem as follows:

1. Claimant admits the allegations contained in paragraph 1.
2. Claimant admits the allegations contained in paragraph 2.
3. Claimant denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegation contained in paragraph 3.
4. Claimant admits the allegations contained in paragraph 4.
5. Claimant admits the allegations contained in paragraph 5.
6. The allegations contained in paragraph 6 state legal conclusions to which no response is required. To the extent that any of the allegations therein are deemed factual, they are denied.
7. Claimant admits the allegations contained in paragraph 7.
8. Denies each and every allegation contained in paragraph 8.

9. Claimant admits the allegations contained in paragraph 9.

10. Claimant admits the allegations contained in paragraph 10.

11. Denies the allegations contained in the first sentence of paragraph 11, insofar as it alleges that Ronald Amedeo Jr. "stated that he was coming from Killington, Vermont and was heading to New York City." Claimant admits the allegations contained in the second sentence of paragraph 11.

12. Denies each and every allegation contained in paragraph 12.

13. Denies each and every allegation contained in paragraph 13.

14. Claimant denies each and every allegation contained in paragraph 14.

15. Claimant denies that the currency was consistent with drug proceeds.

16. Denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 16.

17. Denies knowledge and information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 17.

18. Claimant denies each and every allegation contained in paragraph "18. a." Claimant admits the allegations contained in paragraphs "18. c." and "18. e."

19. Claimant denies the allegations contained in paragraph 19.

20. Admits the allegations contained in paragraph 20.

21. Admits the allegations contained in paragraph 21.

FIRST DEFENSE

22. The Verified Complaint of Forfeiture *In Rem* fails to state a cause of action insofar as no nexus is established between the Defendant currency and any illegal activity.

SECOND DEFENSE

23. The Defendant currency should be returned to Claimant because there was no probable cause for seizure of the property.

THIRD DEFENSE


24. The Defendant currency should be returned to Claimant because there was no probable cause for instituting the instant civil forfeiture action.

FOURTH DEFENSE

25. The search of the automobile and seizure of items contained therein violated Claimant's Fourth Amendment right to be free from unreasonable searches and seizures. The seizure of the Defendant currency was founded upon evidence illegally obtained in violation of the Fourth Amendment to the United States Constitution as applied to the states by the Fourteenth Amendment.

WHEREFORE, Claimant RONALD J. AMADEO JR. demands the return of the Defendant property and Trial by Jury.
Dated: New York, New York
January 26, 2011

Respectfully submitted,



Ronald L. Kuby (103489)
The Law Office of Ronald L. Kuby

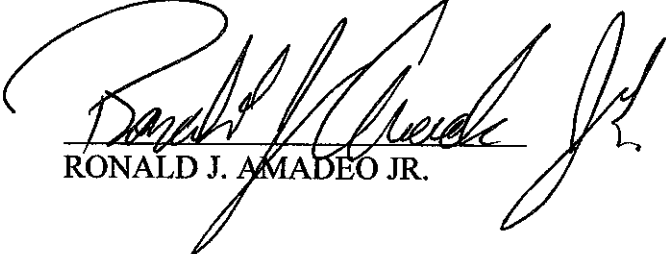
119 West 23rd Street, Suite 900
New York, New York 10011
(212) 529-0223

Attorney for Claimant Ronald J. Amadeo Jr.

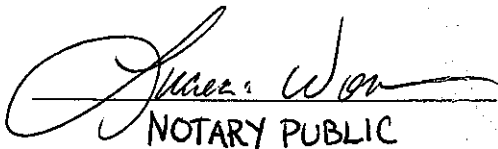
VERIFICATION

State of *Vermont*)
County of *Rutland*) ss.:

RONALD J. AMADEO JR., declares and says, under the penalties of perjury,
as follows: I have read the foregoing Answer to the Complaint In Rem and know the
contents thereof; the same is true and correct to my knowledge information and belief;
the sources of my knowledge, information and belief are my personal involvement.
Dated:


RONALD J. AMADEO JR.

SWORN TO AND SUBSCRIBED BEFORE ME
THIS THE 27th DAY OF JANUARY, 2011.


NOTARY PUBLIC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

Civil No. 1:10-CV-1405
(GLS/RFT)

-against-

\$125,000.00 in U.S. Currency,

CERTIFICATE OF SERVICE

Defendant.

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RONALD L. KUBY hereby affirms under the pains and penalties of perjury that on January 31, 2011, he electronically filed the foregoing Answer of Claimant Ronald J. Amadeo Jr. with the Clerk of the Court using the CM/ECF system, which will automatically send a notice of electronic filing to all persons registered for ECF as of this date, and he also caused to be served a true and accurate copy of the Answer upon the following by United States mail:

Richard S. Hartunian, United States Attorney
Thomas A. Capezza, Assistant United States Attorney
United States Attorney's Office
218 James T. Foley Courthouse
445 Broadway
Albany, New York 12207.

Dated: New York, New York
January 31, 2011



RONALD L. KUBY

Attorney for Claimant Ronald J. Amadeo Jr.